

29 APR 2005

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property
Organization
International Bureau



(43) International Publication Date
21 May 2004 (21.05.2004)

PCT

(10) International Publication Number
WO 2004/041656 A3

- (51) International Patent Classification⁷: B65D 30/22, B65B 7/00
- (21) International Application Number: PCT/US2003/034396
- (22) International Filing Date: 30 October 2003 (30.10.2003)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
60/422,282 30 October 2002 (30.10.2002) US
- (71) Applicant (for all designated States except US): PPI TECHNOLOGIES, INC. [US/US]; 1610 Northgate Blvd., Sarasota, FL 34234 (US).
- (72) Inventor; and
- (75) Inventor/Applicant (for US only): MURRAY, R., Charles [US/US]; 453 South Polk, Sarasota, FL 34236 (US).
- (74) Agents: ANDERSON, Thomas, E. et al.; Gifford, Krass, Groh, Sprinkle, Andeson & Cikowski, P.C., Suite 400, 280 N. Old Woodward Ave., Birmingham, MI 48009 (US).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (BW, GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

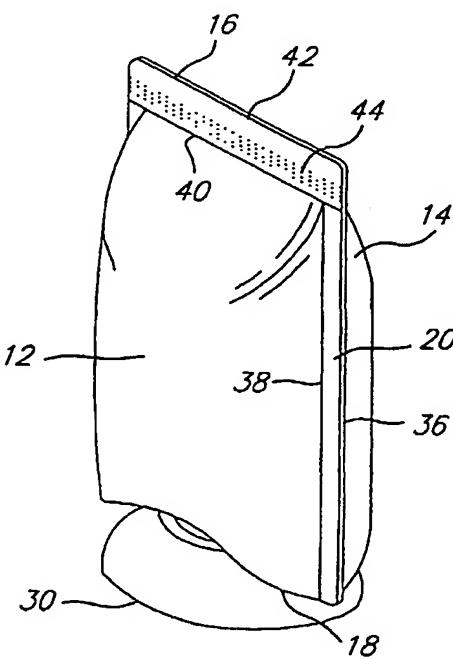
Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments

[Continued on next page]

(54) Title: FLEXIBLE POUCH AND METHOD OF FORMING A FLEXIBLE POUCH

WO 2004/041656 A3



(57) Abstract: A flexible pouch (10) for packaging a product, such as a carbonated beverage, is provided that includes a front panel (12) joined to a back panel (14) each having an upper edge (16), a lower edge (18) and side edge (20). The pouch includes a first closing seal (40) extending along the upper edge formed a predetermined length from an open edge and a second closing seal (42) extending between the first closing seal and the upper edges.

WO 2004/041656 A3



(88) Date of publication of the international search report:
28 October 2004

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/34396

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : B65D 30/22; B65B 7/00
US CL : 383/38, 40, 116, 66, 80, 107; 53/469

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
U.S. : 383/38, 40, 116, 66, 80, 107; 53/469

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 3,304,977 A (HAMMONS) 21 February 1967 (21.02.1967), entire document.	
A	US 3,924,008 A (FORD et al.) 02 December 1975 (02.12.1975), entire document.	
A	US 4,361,235 A (GAUTIER) 30 November 1982 (30.11.1982), entire document.	
A	US 6,422,753 B1 (THOMAS) 23 June 2002 (23.06.2002), entire document.	

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"E" earlier application or patent published on or after the international filing date

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"O" document referring to an oral disclosure, use, exhibition or other means

"&" document member of the same patent family

"P" document published prior to the international filing date but later than the priority date claimed

Date of the actual completion of the international search

04 August 2004 (04.08.2004)

Date of mailing of the international search report

19 AUG 2004

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Facsimile No. (703) 305-3230

Authorized officer

Jes F. Pascua

Telephone No. 703-308-1078

Sheila H. Veney
Paralegal Specialist
Tech. Center 3700

Form PCT/ISA/210 (second sheet) (July 1998)

BEST AVAILABLE COPY

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/34396

Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claim Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claim Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claim Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
Please See Continuation Sheet

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

PCT/US03/34396

BOX II. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claims 1-7, drawn to a flexible pouch.

Group II, claims 8-24, drawn to a method of forming and filling a flexible pouch.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the product of Group I was known in the art, therefore the product of Group I was not applicant's contribution over the prior art.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/34396

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : B65D 30/22; B65B 7/00
 US CL : 383/38, 40, 116, 66, 80, 107; 53/469

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 U.S. : 383/38, 40, 116, 66, 80, 107; 53/469

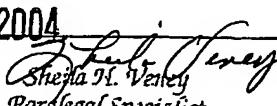
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 3,304,977 A (HAMMONS) 21 February 1967 (21.02.1967), entire document.	
A	US 3,924,008 A (FORD et al.) 02 December 1975 (02.12.1975), entire document.	
A	US 4,361,235 A (GAUTIER) 30 November 1982 (30.11.1982), entire document.	
A	US 6,422,753 B1 (THOMAS) 23 June 2002 (23.06.2002), entire document.	

<input type="checkbox"/>	Further documents are listed in the continuation of Box C.	<input type="checkbox"/>	See patent family annex.
*	Special categories of cited documents:		
"A"	document defining the general state of the art which is not considered to be of particular relevance	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E"	earlier application or patent published on or after the international filing date	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O"	document referring to an oral disclosure, use, exhibition or other means	"&"	document member of the same patent family
"P"	document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search 04 August 2004 (04.08.2004)	Date of mailing of the international search report 19 AUG 2004
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Jes F. Pascua Telephone No. 703-308-1078  Sherita H. Veney Paralegal Specialist Tech. Center 3700

Form PCT/ISA/210 (second sheet) (July 1998)

BEST AVAILABLE COPY

INTERNATIONAL SEARCH REPORTInternational application No.
PCT/US03/34396**Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)**

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claim Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claim Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claim Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)This International Searching Authority found multiple inventions in this international application, as follows:
Please See Continuation Sheet

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

PCT/US03/34396

BOX II. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claims 1-7, drawn to a flexible pouch.

Group II, claims 8-24, drawn to a method of forming and filling a flexible pouch.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the product of Group I was known in the art, therefore the product of Group I was not applicant's contribution over the prior art.